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11 IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

12 United States of America,
13
14 Plaintiff,
v.
15 James Mark Tuohy,
16 Defendant.

CR-22-01917-TUC-JCH(BGM)

RESPONSE TO GOVERNMENT'S
NOTICE OF CONFESSIONS,
ADMISSIONS AND STATEMENTS
(ECF DOC. 56)

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18 The government has provided notice of their intent to introduce Mr. Tuohy's
19 confessions, admissions, and statements under LRCrim. 16.1(a).
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21 Rule 16.1 states that the "United States shall give written notice to the Defendant...
22 of 'any and all written or oral confessions, admissions, or statements... the government
23 intends to use during the course of the trial". The Government's notice fails to indicate what
24 specific portions of the statements he made to ATF agents it wishes to introduce.
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26 Any statements that the government would seek to introduce are subject to the
27 limitations of the Federal Rules of Evidence. Much of Mr. Tuohy's post-arrest statement to
28

1 ATF agents is not admissible under a hearsay exception, is irrelevant under Rule 401, or is
2 inadmissible under Rule 403. The defense objects to the Government's request, which,
3 absent identifying admissible portions of the post-arrest statement, would seek to admit
4 the statement in full. Considering the Government's failure to comply with the Local Rule,
5 the Court should deny its request.
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7 RESPECTFULLY SUBMITTED: July 24, 2023

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